

HOUSE No. 2555

By Mr. Guyer of Dalton (by request), petition of Luann Lord relative to retirement credit for teachers for certain overseas service. Public Service.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT REGARDING TEACHER RETIREMENT.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 32 of the General laws, as appearing in the 2006 official
2 edition is hereby amended by inserting after section 4(p), the
3 following:
4 (p½) Any member of a contributory retirement system who is
5 engaged in a teaching position and holds a certificate issued by the
6 department of education or is exempted from the requirement of
7 certification and who was previously engaged in teaching pupils in
8 any overseas school operated by or receiving assistance from the
9 United States Department of State Office of Overseas Schools or the
10 Department of Defense, or accredited by a United States state educa-
11 tion department may, before the date any retirement allowance
12 becomes effective for him, establish such service as creditable
13 service by depositing into the annuity savings fund of the system of
14 which he is a member in one sum, or in installments, upon such
15 terms and conditions as the board may prescribe, an amount equal to
16 five per cent of the compensation received by him during such
17 period of service plus regular interest to the date of such deposit for
18 such previous period, or most recent portion thereof, as he may
19 elect. Payment shall not be made and no credit shall be allowed for
20 such overseas school service in excess of the total service rendered
21 in a public school of the commonwealth to which the member would
22 be entitled to receive credit if he remained in service to age sixty-
23 five, with the maximum credit for service in such overseas schools
24 not to exceed ten years; provided, that no credit shall be allowed and

25 no payment shall be accepted for any service for which the member
26 shall be entitled to receive a retirement allowance, annuity or pen-
27 sion from any other source. Upon completion of such payments,
28 such member shall receive the same credit for such period of his pre-
29 vious non-public school service or portion thereof elected, as would
30 have been allowed had such service been rendered by him in a
31 public school of the commonwealth. Such member shall furnish the
32 board with such information as it shall require to determine the
33 amount to be paid and the credit to be allowed under this paragraph.
34 At the time a retirement allowance becomes due to a member or to a
35 beneficiary under option (d) of subdivision (2) of section twelve, if
36 the service rendered in public schools of the commonwealth on the
37 date either the retirement allowance becomes effective, or on the
38 date the member attained age sixty-five, whichever occurs first, is
39 less than the service in said non-public schools for which the
40 member has paid, credit shall be allowed only for the most recent
41 service rendered in said overseas schools equal to such service ren-
42 dered in the public schools of the commonwealth and the amount
43 paid for such additional service shall be refunded with accumulated
44 interest, refund to be made only when the retirement allowance
45 becomes due to the member or to the beneficiary under option (d) of
46 subdivision (2) of section twelve, and if it is found that payment has
47 been accepted for any service for which the member is entitled to a
48 retirement allowance, annuity or pension from any other source, the
49 amount paid for such service with accumulated interest shall also be
50 refunded with no retirement credit allowed.